

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Kinyatae Williams,

Case No. 1:18-cv-1964

Petitioner,

v.

ORDER

Chae Harris, Warden¹,

Respondent.

Before me is the July 13, 2021 Report and Recommendation of Magistrate Judge William H. Baughman, Jr., (Doc. No. 29), recommending I dismiss the petition of *pro se* Petitioner Kinyatae Williams for a writ of habeas corpus under 28 U.S.C. § 2254. (Doc. No. 1). Judge Baughman recommends I conclude Ground One of Williams' petition is not cognizable in habeas proceedings and Grounds Two and Three lack merit.

Under the relevant statute, “[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court.” 28 U.S.C. § 636(b)(1); *United States v. Walters*, 638 F.2d 947, 949 (6th Cir. 1981). More than 14 days have passed since Judge Baughman issued his Report and Recommendation and Williams has not filed any objections.

¹ The petitioner currently is incarcerated at the Lebanon Correctional Institution in Lebanon, Ohio, where Chae Harris is the Warden. The Clerk of Court is ordered to substitute Harris as the Respondent in this case. Fed. R. Civ. P. 25(d).

The failure to file written objections to the Magistrate Judge's Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also Walters*, 638 F.2d at 950; *Smith v. Detroit Fed'n of Teachers, Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (“[O]nly those specific objections to the magistrate’s report made to the district court will be preserved for appellate review”).

Following my review of the Magistrate Judge's Report and Recommendation, I accept Judge Baughman's recommendation and conclude Ground One of the Petition is not cognizable in habeas proceedings and Grounds Two and Three lack merit. Therefore, I dismiss Williams' petition for habeas relief under § 2254. Further, I certify there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge